

DONALD M. PAYNE, JR.  
10TH DISTRICT, NEW JERSEY

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AND MANAGEMENT EFFICIENCY

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**Congress of the United States**  
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February 12, 2014

Gina McCarthy  
Administrator  
Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, DC 20460

Dear Administrator McCarthy,

It is my understanding that EPA Region 2 has stated that it plans to release a Focused Feasibility Study and Proposed Remedial Action Plan (FFS) for the Lower Passaic River very soon. It is alleged that the Region is likely to recommend a bank to bank dredge of the entire lower 8 miles. My constituents and local elected officials have concerns that this remedy will be time consuming, disruptive and problematic to the community and lacks the kind of flexibility that is provided at other Superfund sites.

The work that EPA Region 2 has done that is related to the FFS, to date is certainly appreciated. However, I also understand that under the direction of EPA Region 2, the Cooperating Parties Group consisting of almost 70 companies, has spent in excess of \$100 million to study the river and prepare a scientifically-based study remedial Investigation/Feasibility Study (RI/FS) for the entire 17 miles of the river and not just the lower 8 miles that the FFS addresses. My understanding is that the RI/FS is the normal process that EPA uses to select remedies at Superfund sites, and not an FFS.

I am asking that EPA use the RI/FS to base its remedy decision and take a more objective and substantial look at the CPG's Sustainable Remedy. I understand that the Sustainable Remedy can be implemented quicker, and with far less disruption than removing millions of cubic yards of material from a congested and urbanized river, as the FFS would require. I am told that the Sustainable Remedy not only addresses the contaminated sediment, it includes green infrastructure projects to reduce the pollution that continues to enter the river.

I ask that before the EPA moves forward with the FFS that you provide my office with a detailed briefing. I look forward to your response.

Sincerely,



Donald M. Payne, Jr.  
Member of Congress

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10TH DISTRICT, NEW JERSEY

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TO: EPA CONGRESSIONAL RELATIONS

CC: \_\_\_\_\_

COMMENTS: \_\_\_\_\_

☐ URGENT ☒ FOR REVIEW ☒ PLEASE COMMENT ☐ PLEASE REPLY

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